

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57356 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- BHORE District- Gopalganj

Srikant Chauhan, aged about 34 years, Male, Son of Late Jhagadu Mahato
Resident of Village - Bankatta Jagirdari, P.S. - Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate
For the State : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bhore P.S. Case No. 303 of 2023 dated 25.06.2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is recovery of total 513 litres country made wine from the Bolero car.

4. Learned counsel for the petitioner submits that the petitioner is neither the driver nor the owner of the Bolero vehicle from which the seized liquor was recovered. Learned counsel submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. His name



transpired merely on the basis of confessional statement of apprehended co-accused persons and has been implicated due to three criminal antecedents.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 2nd cum-Special Judge Excise Court No. 1, Gopalganj in Bhore P.S. Case No. 303 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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